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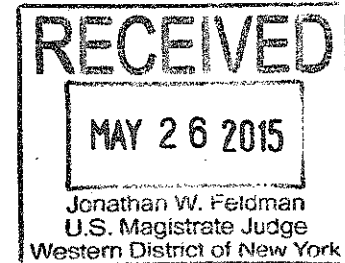
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REPLY TO: **ROCHESTER**

May 26, 2015

VIA FAX

Honorable Jonathan W. Feldman
United States Magistrate Judge
2330 U.S. Courthouse
100 State Street
Rochester, NY 14614



Re: *United States v. Mufid Elfgeeh*, 14-cr-6147-EAW-JWF
United States v. Mufid Elfgeeh, 15-cr-6052-EAW-JWF

Dear Magistrate Judge Feldman:

Mufid Elfgeeh was scheduled to return before Your Honor this morning. Pursuant to my request made last Friday, I respectfully request that Your Honor postpone the status appearance scheduled for today. Instead, I ask the Court to enter a motion schedule permitting the defendant to file his motions on or before Friday, December 4, 2015. This request is made with respect to each of the pending indictments.

This request for an extended motion schedule is based on the extraordinary amount of discovery that has been disclosed in this matter. Previously, Your Honor has received information from the defense as well as affidavits from special agents from the FBI as to the ongoing transcription and production of discoverable materials. Though those materials are substantial, our office has secured additional resources, including adding extra people to allow us to organize, review, and analyze the discovery materials.

Also, the government has recently made available to us classified material for our review. I expect that review will be conducted in a special room in the Clerk's Office. I am told that room will become available and functional for us before the end of June. The classified materials are similarly substantial. Ms. Mariano, Mr. Ciccone, and myself have been cleared to view those materials. However, we are hopeful that two other members of our office will be cleared in short order to assist us to review these materials.

I discussed this request with AUSAs Brett Harvey and Frank Sherman. Neither Mr. Harvey nor Mr. Sherman have any objection to this request.

Similarly, I discussed this request in advance with my client, Mr. Elfgeeh. He is in agreement with my request.

Should Your Honor grant this request, I ask that the Court enter a scheduling order permitting the defendant to file his motions on or before December 4, 2015. Likewise, I ask the Court to exclude the period of time from May 26, 2015 through December 4, 2015, to provide the defense with sufficient opportunity to review the extraordinary amount of discovery materials, and prepare the proper motions for Your Honor's consideration.

Thank you for consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark D. Hosken", with a stylized flourish at the end.

Mark D. Hosken
Supervisory Assistant Federal Public Defender

MDH/jmm

cc: Brett Harvey, AUSA (via fax)
Frank Sherman, AUSA (via fax)
Mufid Elfgeeh (via first class mail)